

# **REMOVAL TO FEDERAL COURT**

## **STATE COURT RECORD**

STATE OF INDIANA

Howard Circuit Court

34C01-2206-CT-001457

JONI WETZEL

v.

WALMART STORES, EAST, LP

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

## Joni Wetzel v. Walmart Stores East, LP

Case Number	34C01-2206-CT-001457
Court	Howard Circuit Court
Type	CT - Civil Tort
Filed	06/28/2022
Status	06/28/2022 , Pending (active)

## Parties to the Case

### Defendant Walmart Stores East, LP

#### Address

c/o CT Corporation System  
334 North Senate Avenue  
Indianapolis, IN 46204

#### Attorney

Lesley Ann Pfleging  
#2685749, Retained

LEWIS & WAGNER LLP  
1411 ROOSEVELT AVE STE 102  
INDIANAPOLIS, IN 46201  
317-237-0500(W)

### Plaintiff Wetzel, Joni

#### Attorney

Daniel Gore  
#3132253, Retained

104 S. Franklin Road  
Bloomington, IN 47404  
812-332-9451(W)

## Chronological Case Summary

06/28/2022 **Case Opened as a New Filing**

06/29/2022 **Complaint/Equivalent Pleading Filed**

Complaint for Damages

Filed By: Wetzel, Joni  
File Stamp: 06/28/2022

06/29/2022 **Appearance Filed**

Appearance

For Party: Wetzel, Joni  
File Stamp: 06/28/2022

**Subpoena/Summons Filed**

Summons to Walmart

Filed By: Wetzel, Joni  
File Stamp: 06/28/2022

**Service Returned Served (E-Filing)**

Return of Service on Walmart

Filed By: Wetzel, Joni  
File Stamp: 07/14/2022

**Appearance Filed**

Appearance of Lesley A. Pfleging

For Party: Walmart Stores East, LP  
File Stamp: 07/15/2022

**Jury Trial Demand Filed**

Jury Demand

Filed By: Walmart Stores East, LP  
File Stamp: 07/15/2022

**Motion for Enlargement of Time Filed**

Motion for Enlargement of Time

Filed By: Walmart Stores East, LP  
File Stamp: 07/15/2022

**Motion for Mediation Filed**

Motion for Mediation Order

Filed By: Wetzel, Joni  
File Stamp: 07/15/2022

**Motion Filed**

Motion for PTC

Filed By: Wetzel, Joni  
File Stamp: 07/15/2022

**Motion Filed**

Motion for Trial Date

Filed By: Wetzel, Joni  
File Stamp: 07/15/2022

**Order Granting Motion for Enlargement of Time**

Order Signed: 07/19/2022

**Notice Issued to Parties**

Court declines to set a case management conference until after the time for filing and answer and affirmative defenses has expired.

**Automated ENotice Issued to Parties**

Order Granting Motion for Enlargement of Time ---- 7/19/2022 : Daniel Gore;Lesley Ann Pfleging Notice Issued to Parties ---- 7/19/2022 : Daniel Gore;Lesley Ann Pfleging

07/21/2022 **Automated ENotice Issued to Parties**

Order Granting Motion for Enlargement of Time ---- 7/19/2022 : Daniel Gore;Lesley Ann Pfleging

**Financial Information**

\* Financial Balances reflected are current representations of transactions processed by the Clerk's Office. Please note that any balance due does not reflect interest that has accrued – if applicable – since the last payment. For questions/concerns regarding balances shown, please contact the Clerk's Office.

**Wetzel, Joni**

Plaintiff

Balance Due (as of 07/22/2022)

0.00

**Charge Summary**

Description	Amount	Credit	Payment
Court Costs and Filing Fees	157.00	0.00	157.00

**Transaction Summary**

Date	Description	Amount
06/29/2022	Transaction Assessment	157.00
06/29/2022	Electronic Payment	(157.00)

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STATE OF INDIANA                     )                     IN THE HOWARD                     COURT  
  ) SS:  
COUNTY OF HOWARD                 )                     CAUSE NO.

JONI WETZEL

VS.

WALMART STORES EAST, LP

### **COMPLAINT FOR DAMAGES**

Comes now the plaintiff, Joni Wetzel, by counsel, Ken Nunn Law Office, and for cause of action against the defendant, Walmart Stores East, LP, alleges and says:

1. That on or about August 10, 2021, the plaintiff, Joni Wetzel, was a customer at the Walmart store located at 1920 E. Markland Ave in Kokomo, Howard County, Indiana.
2. That on or about August 10, 2021, the plaintiff, Joni Wetzel, slipped and fell due to water on the floor at said location, causing the plaintiff to suffer serious injuries.
3. That it was the duty of the defendant to use ordinary care and diligence to keep and maintain the said premises in a condition reasonably safe for its intended uses and free from all defects and conditions which would render the premises dangerous and unsafe for plaintiff, or present an unreasonable risk of harm to plaintiff in her lawful use of same.
4. That it was the duty of the defendant to exercise reasonable care to protect plaintiff, by inspection and other affirmative acts, from the danger of reasonably foreseeable injury occurring from reasonably foreseeable use of said premises.
5. That it was the duty of the defendant to have available sufficient personnel and equipment to properly inspect and maintain the aforesaid premises in a condition reasonably safe for plaintiff and free from defects and conditions rendering the premises unsafe.
6. That it was the duty of the defendant to warn plaintiff of the dangerous and unsafe condition existing on said premises.

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7. That the defendant knew or should have known of the unreasonable risk of danger to the plaintiff but failed either to discover it or to correct it after discovery.

8. That the fall and resultant permanent injuries of plaintiff were caused by the negligence of the defendant who failed to utilize reasonable care in the inspection and maintenance of said premises.

9. That the aforesaid acts of negligence on the part of the defendant were the proximate cause of the injuries sustained by the plaintiff.

10. That the plaintiff has incurred medical expenses and other special expenses, and will incur future medical expenses, lost wages and other special expenses, as a direct and proximate result of defendant's negligence.

WHEREFORE, the plaintiff demands judgment against the defendant for permanent injuries in a reasonable amount to be determined at the trial of this cause, for medical expenses and other special expenses, for future medical expenses, lost wages and other special expenses, court costs, and all other proper relief in the premises.

KEN NUNN LAW OFFICE

BY: s/ Daniel Gore  
Daniel Gore, #31322-53  
KEN NUNN LAW OFFICE  
104 South Franklin Road  
Bloomington, IN 47404  
Phone: (812) 332-9451  
Fax: (812) 331-5321  
E-mail: [dgore@kennunn.com](mailto:dgore@kennunn.com)

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**REQUEST FOR TRIAL BY JURY**

Comes now the plaintiff, by counsel, Ken Nunn Law Office, and requests that this matter be tried by jury pursuant to Trial Rule 38.

KEN NUNN LAW OFFICE

BY: s/ Daniel Gore  
Daniel Gore, #31322-53  
KEN NUNN LAW OFFICE  
104 South Franklin Road  
Bloomington, IN 47404  
Phone: (812) 332-9451  
Fax: (812) 331-5321  
E-mail: [dgore@kennunn.com](mailto:dgore@kennunn.com)

Daniel Gore, #31322-53  
Ken Nunn Law Office  
104 South Franklin Road  
Bloomington, IN 47404  
Telephone: 812-332-9451  
Fax Number: 812-331-5321  
Attorney for Plaintiff

**APPEARANCE FORM (CIVIL)**  
**Initiating Party**

CAUSE NO:	
1. Name of first initiating party	Joni L. Wetzel 1824 N Purdum Street Kokomo, IN 46901
2. Telephone of pro se initiating party	NA
3. Attorney information (as applicable for service of process)	Daniel Gore #31322-53 Ken Nunn Law Office 104 South Franklin Road Bloomington, IN 47404 PHONE: 812 332-9451 FAX: 812 331-5321 Email: dgore@kennunn.com
4. Case type requested	CT (Civil Tort)
5. Will accept FAX service	YES
6. Are there related cases	NO
7. Additional information required by State or Local Rules	
Continuation of Item 1 (Names of initiating parties)	NAME: NAME:
Continuation of Item 3 (Attorney information as applicable for service of process)	

s/Daniel Gore  
\_\_\_\_\_  
Attorney-at-Law  
(Attorney information shown above.)



CIRCUIT/SUPERIOR COURTS FOR THE COUNTY OF HOWARD  
STATE OF INDIANA  
COURTHOUSE, 104 N. BUCKEYE STREET  
KOKOMO, INDIANA 46901  
TELEPHONE: 765 456-2204

Joni Wetzel

Plaintiff(s)

VS.

No.

Walmart Stores East, LP

Defendant(s)

**SUMMONS**

The State of Indiana to Defendant: **Walmart Stores East, LP, c/o Corporation Service Company, 334 N. Senate Ave, Indianapolis, IN 46204**

You have been sued by the person(s) named "plaintiff" in the court stated above.

The nature of the suit against you is stated in the complaint which is attached to this document. It also states the demand which the plaintiff has made and wants from you.

You must answer the complaint in writing, by you or your attorney, within Twenty (20) days, commencing the day after you receive this summons, or judgment will be entered against you for what the plaintiff has demanded. You have twenty-three (23) days to answer if this summons was received by mail. **Such Answer Must Be Made In Court.**

If you have a claim for relief against the plaintiff arising from the same transaction or occurrence, you must assert it in your written answer.

6/29/2022

Date: \_\_\_\_\_

*Debbie Stewart*  
CLERK, HOWARD CIRCUIT/SUPERIOR COURTS



DANIEL GORE, #31322-53  
ATTORNEY FOR PLAINTIFF  
KEN NUNN LAW OFFICE  
104 FRANKLIN ROAD  
BLOOMINGTON, IN 47404  
TELEPHONE: (812)332-9451

**ACKNOWLEDGMENT OF SERVICE OF SUMMONS**

A copy of the above summons and a copy of the complaint attached thereto were received by me at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
SIGNATURE OF DEFENDANT

PRAECIPE: I designate the following mode of service to be used by the Clerk.

- XX By certified or registered mail with return receipt to above address.
- ☐ By Sheriff delivering a copy of summons and complaint personally to defendant or by leaving a copy of the summons and complaint at his dwelling house or usual place of abode with some person of suitable age and discretion residing therein.
- ☐ By \_\_\_\_\_ delivering a copy of summons and complaint personally to defendant or by leaving a copy of the summons and complaint at his dwelling house or usual place of abode.
- ☐ By serving his agent as provided by rule, statute or valid agreement, to-wit:

KEN NUNN LAW OFFICE

BY: s/ DANIEL GORE  
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING: I certify that on the \_\_\_ day of \_\_\_\_\_, 2022, I mailed a copy of this summons and a copy of the complaint to each of the defendant(s) by (registered or certified mail requesting a return receipt signed by the addressee only, addressed to each of said defendant(s) at the address(es) furnished by plaintiff.

Dated this \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
CLERK, HOWARD CIRCUIT/SUPERIOR

COURTS

**RETURN OF SERVICE OF SUMMONS BY MAIL:** I hereby certify that service of summons with return receipt requested was mailed on the \_\_\_ day of \_\_\_\_\_, 2022, and that a copy of the return of receipt was received by me on the \_\_\_ day of \_\_\_\_\_, 2022, which copy is attached herewith.

\_\_\_\_\_  
CLERK, HOWARD CIRCUIT/SUPERIOR

COURTS

**CERTIFICATE OF CLERK OF SUMMONS NOT ACCEPTED BY MAIL:** I hereby certify that on the \_\_\_ day of \_\_\_\_\_, 2022, I mailed a copy of this summons and a copy of the complaint to the defendant(s) by (registered or certified) mail, and the same was returned without acceptance this \_\_\_ day of \_\_\_\_\_, 2022, and I did deliver said summons and a copy of the complaint to the Sheriff of Howard County, Indiana.

Dated this \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
CLERK, HOWARD CIRCUIT/SUPERIOR

COURTS

**RETURN OF SUMMONS:** This summons came to hand on the \_\_\_ day of \_\_\_\_\_, 2022, and I served the same on the \_\_\_ day of \_\_\_\_\_, 2022.

1. By mailing a copy of the summons and complaint personally to \_\_\_\_\_ address \_\_\_\_\_.
2. By delivering a copy of summons and complaint personally to \_\_\_\_\_.
3. By leaving a copy of the summons and complaint at \_\_\_\_\_ the dwelling house or usual place of abode of defendant: \_\_\_\_\_ (Name of Person) and by mailing by first class mail a copy of the summons on the \_\_\_ day of \_\_\_\_\_, 2022 to \_\_\_\_\_ his last known address.
4. By serving his agent as provided by rule, statute or valid agreement to-wit: \_\_\_\_\_.
5. Defendant cannot be found in my bailwick and summons was not served.

And I now return this writ this \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
SHERIFF or DEPUTY

**RETURN ON SERVICE OF SUMMONS:** I hereby certify that I have served the within summons:

1. By delivery on the \_\_\_ day of \_\_\_\_\_, 2022 a copy of this summons and a copy of the complaint to each of the within named defendant(s) \_\_\_\_\_.
2. By leaving on the \_\_\_ day of \_\_\_\_\_, 2022 for each of the within named defendant(s) \_\_\_\_\_, a copy of the summons and a copy of the complaint at the respective dwelling house or usual place of abode with \_\_\_\_\_ a person of suitable age and

discretion residing therein whose usual duties or activities include prompt communication of such information to the person served.

3. \_\_\_\_\_ an d by mailing a copy of the  
summons without the complaint to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_ the last known address of defendant(s).

All done in Howard County, Indiana.

Fees: \$ \_\_\_\_\_

\_\_\_\_\_  
SHERIFF or DEPUTY

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8381 1354 92. Our records indicate that this item was delivered on 07/05/2022 at 10:08 a.m. in INDIANAPOLIS, IN 46204. The scanned image of the recipient information is provided below.

Signature of Recipient :

BRADCHURCH

Address of Recipient :

Very Bad	
-------------	--

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

WALMART STORES EAST LP  
C/O: CORPORATION SERVICE COMPANY  
334 N SENATE AVE  
INDIANAPOLIS IN 46204-1708

Customer Reference Number: C3525586.20720746  
Return Reference Number Joni Wetzel

MAILING DATE: 06/30/2022

DELIVERED DATE: 07/05/2022

CUSTOM1:

MAIL PIECE DELIVERY INFORMATION:

WALMART STORES EAST LP  
C/O: CORPORATION SERVICE COMPANY  
334 N SENATE AVE  
INDIANAPOLIS IN 46204-1708

MAIL PIECE TRACKING EVENTS:

06/30/2022 14:08	PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	BLOOMINGTON,IN 47404
07/02/2022 00:09	ORIGIN ACCEPTANCE	BLOOMINGTON IN DISTRIBUTION CEN 47404
07/02/2022 01:24	PROCESSED THROUGH USPS FACILITY	INDIANAPOLIS IN DISTRIBUTION CE 46206
07/04/2022 01:21	PROCESSED THROUGH USPS FACILITY	INDIANAPOLIS IN DISTRIBUTION CE 46206
07/05/2022 09:06	ARRIVAL AT UNIT	INDIANAPOLIS,IN 46204
07/05/2022 09:17	OUT FOR DELIVERY	INDIANAPOLIS,IN 46204
07/05/2022 10:08	DELIVERED INDIVIDUAL PICKED UP AT USPS	INDIANAPOLIS,IN 46204

IN THE HOWARD COUNTY CIRCUIT COURT

STATE OF INDIANA

JONI WETZEL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO.: 34C01-2206-CT-001457
	)	
WAL-MART STORES EAST, LP,	)	
	)	
Defendant.	)	

**E-FILING APPEARANCE BY ATTORNEY IN CIVIL CASE**

**Party Classification:** Initiating \_\_\_\_ Responding X Intervening \_\_\_\_

1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party member(s):

**WAL-MART STORES EAST, LP**

2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) is as follows:

<b>Lesley A. Pfleging</b>	<b>Attorney No. 26857-49A</b>
LEWIS WAGNER, LLP	Phone: (317) 237-0500
1411 Roosevelt Avenue, Suite 102	Fax: (317) 630-2790
Indianapolis, IN 46201	<a href="mailto:lpfleging@lewiswagner.com">lpfleging@lewiswagner.com</a>

**IMPORTANT:** Each attorney specified on this appearance:

- (a) certifies that the contact information listed for him/her on the Indiana Supreme Court Roll of Attorneys is current and accurate as of the date of this Appearance;
- (b) **acknowledges that all orders, opinions, and notices from the court in this matter that are served under Trial Rule 86(G) will be sent to the attorney at the email address(es) specified by the attorney on the Roll of Attorneys regardless of the contact information listed above for the attorney;** and
- (c) understands that he/she is solely responsible for keeping his/her Roll of Attorneys contact information current and accurate, see Ind. Admis. Disc. R. 2(A).

Attorneys can review and update their Roll of Attorneys contact information on the Courts Portal at <http://portal.courts.in.gov>.

3. There are other party members: Yes \_\_\_\_ No X (If yes, list on continuation page.)
4. *If first initiating party filing this case*, the Clerk is requested to assign the case the following Case Type under Administrative Rule 8(b)(3): N/A
5. I will accept service by fax at the above noted number: Yes \_\_\_\_ No X  
Counsel would represent to the court that fax service is acceptable in emergency situations.
6. This case involves support issues. Yes \_\_\_\_ No X (If yes, supply social security numbers for all family members on continuation page.)
7. There are related cases. Yes \_\_\_\_ No X (If yes, list on continuation page.)
8. This form has been served on all other parties. Certificate of Service is attached.  
Yes X No \_\_\_\_
9. Additional information required by local rule:

**LEWIS WAGNER, LLP**

By: /s/ Lesley A. Pfleging  
LESLEY A. PFLEGING, #26857-49A  
*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 2022, a copy of the foregoing was served on the following parties electronically by using the Court's IEFS System and U.S. Postal Service, pre-paid delivery for those parties not yet registered:

Daniel Gore  
KEN NUNN LAW OFFICE  
104 South Franklin Road  
Bloomington, IN 47404  
dgore@kennunn.com  
*Counsel for Plaintiff*

By: /s/ Lesley A. Pfleging  
LESLEY A. PFLEGING

LEWIS WAGNER, LLP  
1411 Roosevelt Avenue, Suite 102  
Indianapolis, IN 46201  
Telephone: 317-237-0500  
Facsimile: 317-630-2790  
[lpfleging@lewiswagner.com](mailto:lpfleging@lewiswagner.com)



By: /s/ Lesley A. Pfliging  
LESLEY A. PFLEGING, #26857-49A  
*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

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Daniel Gore  
KEN NUNN LAW OFFICE  
104 South Franklin Road  
Bloomington, IN 47404  
dgore@kennunn.com  
*Counsel for Plaintiff*

By: /s/ Lesley A. Pfleging  
LESLEY A. PFLEGING

LEWIS WAGNER, LLP  
1411 Roosevelt Avenue, Suite 102  
Indianapolis, IN 46201  
Telephone: 317-237-0500  
Facsimile: 317-630-2790  
[lpfleging@lewiswagner.com](mailto:lpfleging@lewiswagner.com)

IN THE HOWARD COUNTY CIRCUIT COURT  
 STATE OF INDIANA

JONI WETZEL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO.: 34C01-2206-CT-001457
	)	
WAL-MART STORES EAST, LP,	)	
	)	
Defendant.	)	

**MOTION FOR ENLARGEMENT OF TIME TO ANSWER OR OTHERWISE RESPOND  
 TO PLAINTIFF'S COMPLAINT**

Comes now Defendant, Wal-Mart Stores East, LP ("Defendant"), by counsel, pursuant to Ind. Trial Rule 6(B)(1) and LR34-TR73-10(C) of the Howard County Local Rules, files its Initial Motion for Enlargement of Time for thirty (30) days to answer or otherwise respond to Plaintiff's Complaint, up to and including August 29, 2022. In support thereof, Defendant states as follows:

1. Plaintiff filed her Complaint on June 28, 2022.
2. Defendant was served the Summons and Complaint on or about July 5, 2022; a response is due on July 28, 2022; and said time has not expired.
3. Defendant requests an additional thirty (30) days, or up to and including August 29, 2022, to file its answer or otherwise respond to Plaintiff's Complaint.
4. Defendant has not previously sought an extension of time in which to respond to the Complaint.
5. Pursuant to Ind. Trial Rule 6(B)(1) and LR34-TR73-10(C), the initial motion for enlargement of time to file a responsive pleading to a Complaint shall be granted summarily for up to thirty (30) days.

WHEREFORE, Defendant, Wal-Mart Stores East, LP, respectfully requests an initial thirty (30) day enlargement of time, or up to and including August 29, 2022, to file its answer or otherwise respond to Plaintiff's Complaint.

**LEWIS WAGNER, LLP**

By: /s/ Lesley A. Pfleging  
LESLEY A. PFLEGING, #26857-49A  
*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

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Daniel Gore  
KEN NUNN LAW OFFICE  
104 South Franklin Road  
Bloomington, IN 47404  
dgore@kennunn.com  
*Counsel for Plaintiff*

By: /s/ Lesley A. Pfleging  
LESLEY A. PFLEGING

LEWIS WAGNER, LLP  
1411 Roosevelt Avenue, Suite 102  
Indianapolis, IN 46201  
Telephone: 317-237-0500  
Facsimile: 317-630-2790  
[lpfleging@lewiswagner.com](mailto:lpfleging@lewiswagner.com)

STATE OF INDIANA )  
 ) SS: IN THE HOWARD CIRCUIT COURT  
COUNTY OF HOWARD ) CAUSE NO. 34C01-2206-CT-001457

JONI WETZEL

VS.

WALMART STORES EAST, LP

**MOTION FOR MEDIATION ORDER**

Comes now the plaintiff, by counsel, Daniel Gore, and respectfully requests that the Court enter an Order requiring the parties to mediate this case.

Respectfully submitted,  
KEN NUNN LAW OFFICE

By: /s/Daniel Gore  
Daniel Gore, # 31322-53  
Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of July 2022 a copy of this document was filed electronically. Service of this filing will be made on all registered counsel by operation of the Court's electronic filing system or by mail should counsel not be registered.

Lesley Pfleging  
Lewis Wagner, LLP  
1411 Roosevelt Ave, Ste 102  
Indianapolis, IN 46201

Respectfully submitted,  
KEN NUNN LAW OFFICE

By: /s/Daniel Gore  
Daniel Gore, # 31322-53  
Attorney for Plaintiff

Daniel Gore, # 31322-53  
Ken Nunn Law Office  
Franklin Place  
104 S. Franklin Road  
Bloomington, IN 47404  
Telephone (812) 332-9451  
Attorney for Plaintiff



**CERTIFICATE OF SERVICE**

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Lesley Pfleging  
Lewis Wagner, LLP  
1411 Roosevelt Ave, Ste 102  
Indianapolis, IN 46201

Respectfully submitted,  
KEN NUNN LAW OFFICE

By: /s/Daniel Gore  
Daniel Gore, # 31322-53  
Attorney for Plaintiff

Daniel Gore, # 31322-53  
Ken Nunn Law Office  
Franklin Place  
104 S. Franklin Road  
Bloomington, IN 47404  
Telephone (812) 332-9451  
Attorney for Plaintiff



STATE OF INDIANA                                 )  
  ) SS:                     IN THE HOWARD   CIRCUIT COURT  
COUNTY OF HOWARD                         )  
  )                     CAUSE NO. 34C01-2206-CT-001457

JONI WETZEL

VS.

WALMART STORES EAST, LP

**MOTION FOR TRIAL DATE**

Comes now the plaintiff, by counsel, Daniel Gore, and respectfully requests as follows:

1.     That this matter be set for jury trial.
2.     That the date be established by the Court at the telephonic pre-trial conference  
that is being requested simultaneously with the filing of this Motion.

Respectfully submitted,  
KEN NUNN LAW OFFICE

By: /s/Daniel Gore  
Daniel Gore, # 31322-53  
Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of July 2022 a copy of this document was filed electronically. Service of this filing will be made on all registered counsel by operation of the Court's electronic filing system or by mail should counsel not be registered.

Lesley Pfleging  
Lewis Wagner, LLP  
1411 Roosevelt Ave, Ste 102  
Indianapolis, IN 46201

Respectfully submitted,  
KEN NUNN LAW OFFICE

By: /s/Daniel Gore  
Daniel Gore, # 31322-53  
Attorney for Plaintiff

Daniel Gore, # 31322-53  
Ken Nunn Law Office  
Franklin Place  
104 S. Franklin Road  
Bloomington, IN 47404  
Telephone (812) 332-9451  
Attorney for Plaintiff

All counsel of record